

CEMETERY AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This bill enacts language related to a cemetery.

Highlighted Provisions:

This bill:

- ▶ amends provisions related to the recordation of a cemetery plat;
- ▶ requires an executive officer or an individual owner of a cemetery:
 - to provide a purchaser of a lot or burial right a certificate of a burial right ~~§~~→ [and
 - 15 ~~record that certificate]~~ ←~~§~~ ; and
 - to file with the county recorder a transcript of a deed, certificate of sale, or
 - 17 evidence of burial rights;
 - ▶ requires a person that controls a cemetery to adopt certain policies and procedures
 - 19 and establish a record keeping system;
 - ▶ amends provisions governing a cemetery maintenance district; and
 - ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



59 ~~§~~ → [(+)] ← § An executive officer of an organization in control of a cemetery, including a
 60 municipality or a cemetery maintenance district, or an individual owner in control of a
 61 cemetery, shall provide each purchaser of a lot or burial right located in the cemetery with a
 62 certificate of burial rights, properly executed, and the same may be filed and recorded by the
 63 county recorder of the county within which the cemetery is situated].

64 ~~§~~ → [(2)] ← § An executive officer or individual owner described in Subsection (1) shall in
 65 accordance with Section 8-3-3 file and record a certificate of burial rights with the county
 66 recorder of the county within which the cemetery is situated.] ← §

67 Section 3. Section 8-3-3 is amended to read:

68 **8-3-3. Transcripts to be filed for record.**

69 [On the first days of January and July]

70 (1) No later than January 1 and July 1 of each year [~~such executive officers and~~
 71 ~~individual owners offering~~], the executive officer of an organization in control of a cemetery,
 72 including a municipality or cemetery maintenance district, or an individual owner in control of
 73 a cemetery with burial lots for sale, shall file with the county recorder of the county within
 74 which the [~~cemeteries are~~] cemetery is situated a transcript, duly certified by [~~them~~] the
 75 executive officer or individual owner, of [~~any and all deeds, certificates of sale or evidences~~] a
 76 deed, certificate of sale, or evidence of burial rights issued by [~~them~~] the executive officer,
 77 individual owner, or the officer's or owner's designee during the preceding six months.

78 (2) The county [~~recorders~~] recorder shall file [~~such abstracts~~] the transcript described in
 79 Subsection (1) without charge ~~§~~ → [~~and make any and all necessary notations upon the~~ [~~plats of the~~
 80 ~~cemeteries theretofore filed with them~~] plat of the respective cemetery] ← ~~§~~ .

81 Section 4. Section 8-6-1 is enacted to read:

82 CHAPTER 6. POLICIES AND RECORDS

83 8-6-1. Title.

84 This chapter is known as "Policies and Records."

85 Section 5. Section 8-6-2 is enacted to read:

86 8-6-2. Policies adopted and records kept.

87 A cemetery maintenance district, municipality, individual, or other person that controls
 88 a cemetery shall:

89 (1) adopt policies and procedures for the regulation of its affairs and the conduct of its